

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 19-77 JOB

vs.

MICHAEL NISSEN,

Defendant.

MOTION TO WITHDRAW AS COUNSEL

Kenneth A. Gleria, attorney, and Jack Mkhitarian, attorney, hereby move the Court for its Order allowing them to withdraw as counsel for Defendant Michael Nissen and as grounds therefore states as follows:

1. On November 7, 2019 after a jury trial, Defendant was convicted of violation of 18 U.S.C. 875(c), Interstate Communications Containing a Threat to Injure the Person of Another (two counts) as charged in the January 10, 2019 Indictment. Sentencing has not been scheduled in this matter.
2. Defendant Michael Nissen, who is currently in pretrial detention at the Cibola County Correctional Center in Milan, New Mexico, has discharged undersigned counsel as his attorneys in this matter. As a result, communication between Michael Nissen and his undersigned counsel has ceased, and the attorney/client relationship no longer exists. For this reason, undersigned counsel request leave of the Court to withdraw as counsel for Defendant Michael Nissen in this matter.
3. Due to the nature of this motion, the position of Assistant United States Attorneys Pauyl Mysliwiec and Alexander M.M. Uballez, was not solicited.

WHEREFORE it is respectfully requested that the Court enter its Order allowing undersigned counsel to withdraw as counsel for Defendant Michael Nissen for the reasons set forth above.

Respectfully submitted:

Electronically filed
Kenneth A. Gleria
Jack Mkhitarian
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I HEREBY CERTIFY that a copy of the foregoing was mailed/delivered to all counsel of record this 21st day of August, 2019. Kenneth A. Gleria